

FAKE NEWS AND THE ACT OF JUSTICE

Lecturer Adrian Boantă, PhD

George Emil Palade University of Medicine, Pharmacy,
Science, and Technology of Targu Mures, Romania

Summary: *The justice system can be affected by fake news just like any other public system, which can lead to the rights and freedoms of individuals being affected. The main purpose of this phenomenon in the field of justice is to deprive the courts of authority and leave the impression that justice is arbitrary and the main result is the weakening of the state.*

Keywords: *Fake news, justice, political cases, democracy, separation of powers;*

1. Fake news and the concept of justice

The concept of justice has stood the test of time and is closely linked to the historical development of a society. A clear definition of this concept is difficult to achieve because, in essence, justice is not only a technical, jurisdictional component of a court of law which, by virtue of the law, pronounces a judicial truth, the concept of justice is also an “*act of culture which reflects the psychology of a people, its spiritual values, its way of being and living, the stage of development of its civilisation*”¹. Given these coordinates, which also imply the degree of development of a nation in defining the concept of justice, the phenomenon of fake news has certainly influenced the way citizens relate to the notion of justice, the act of justice. The purpose of fake news or any misinformation, and here we will focus on the act of justice, is not to make you believe something or other about justice, but to make you very reluctant to believe anything² and ultimately lead to the loss of credibility

¹ Cristian Ionescu, “A constitutional perspective on justice as a public service (comments on Article 124 of the Constitution)”, *Law Review*, no.5/2017, p.59.

² Vintilă Mihăilescu, “Authenticity, post-truth and populism”, *Sfera Politicii Magazine*, no. 1-2 (191-192) / 2017, p. 24-29.

Union and forwards it to the Public Prosecutor's Office of the Court of Appeal in whose district the requested person has been located or to the Public Prosecutor's Office of the Bucharest Court of Appeal, if the requested person has not been located, whenever the issuing judicial authority fails to forward the European arrest warrant directly to the receiving Romanian judicial authority;

b) transmits the European arrest warrant issued by a Romanian judicial authority, if the latter cannot transmit it directly to the foreign receiving judicial authority or when the executing Member State has designated the Ministry of Justice as the receiving authority;

c) keeps a record of European arrest warrants issued or received by the Romanian judicial authorities for statistical purposes;

d) performs any other task laid down by law designed to assist and support the Romanian judicial authorities in issuing and executing European arrest warrants.

The position, available on the Ministry of Justice's website, provides a response based on the Ministry's legal powers in relation to Romanian citizens evading execution of sentences.

The educational component aims at acquiring knowledge about justice and the act of justice. In this sense, the concept of legal education acquired legal form in 2021 with the adoption of Law 273/2021¹⁹, which aims to amend the National Education Law by introducing key competences in the fields of entrepreneurship, finance and law into the national curriculum for primary and secondary education.

Conclusions

Misinformation about how justice is carried out has over time become a phenomenon that decisively affects one of the powers of the state. The main ways of misinformation are the lack of legal knowledge of the general public, the idea of the saviour from outside Romania and the idea of political influence in the act of justice. This last idea leads to the

¹⁹ Law 273/2021 amending the National Education Law No 1/2011 published in the Official Gazette of Romania, no. 1097/17.11.2021.

conclusion, with regard to corruption cases, that justice is carried out under political control, being only a mechanism in the hands of the ruling political parties, a situation similar to the communist period. The phenomenon of fake news in the justice system can be combated by raising legal literacy and involving the relevant authorities in the "elimination" of false information.

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